

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

ROBERT FITZCHARLES,

Plaintiff,

v.

SUPERINTENDENT McNALLY, et al.,

Defendants.

NO. 3:15-CV-01036

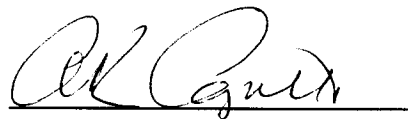
(JUDGE CAPUTO)

(MAGISTRATE JUDGE SAPORITO)

ORDER

NOW, this 17th day of December, 2015, upon review of the Report and Recommendation of Magistrate Judge Saporito (Doc. 41) for plain error or manifest injustice, **IT IS HEREBY ORDERED** that:

- (1) The Report and Recommendation (Doc. 41) is **ADOPTED in its entirety**.
- (2) Plaintiff's Amended Complaint (Doc. 9) is **DISMISSED without prejudice**.
- (3) The Clerk of Court is directed to mark the case as **CLOSED**.



A. Richard Caputo
United States District Judge